



Attorney Docket No. Le A33 820

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Cheung, et al.

Serial No.: 09/743,827

Group Art Unit:

Filed: 17 July 1999

Examiner:

Title: Antiparasitic Artemisinin Derivatives (Endoperoxides)

**CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.

Date:

*Eugenia Boshnack*  
Eugenia Boshnack

**Commissioner for Patents and Trademarks  
Washington, D.C. 20231**

**RENEWED PETITION UNDER 37 CFR § 1.47 (a)**

Sir:

This is a continuation of the Petition filed by Attorney Jerrie Chiu on 24 July 2001, requesting that the Patent and Trademark Office accept the inventors' declaration in the above-identified Patent Application without the signature of listed inventor William Wai-Lun Lam, who could not be located.

On 4 December 2001, the Patent and Trademark Office issued its decision in response to Atty. Chiu's petition. The petition was dismissed for lack of the requisite factual proof that the missing joint inventor could not be reached after diligent effort.

The decision dismissing the Petition stated that the fee, the statement of the inventor's last known address, and the oath or declaration by the remaining inventors had been received.

As to the factual proof that the missing inventor could not be reached, the decision on the petition indicated that no documentary evidence supporting the failed attempts to reach the inventor had been provided with the declaration of Richard Haynes, which had been submitted in conjunction with Atty. Chiu's original petition, and that it was not

clear from the Haynes' declaration that a complete set of papers were ever sent to Dr. Lam.

A complete set of papers have been sent by me to Dr. Lam at the Hong Kong address shown in the original declaration form. That transmittal is the subject of a separate Declaration by me, accompanying this renewed petition.

The Hong Kong address is the former address of Dr. Lam's parents. Dr. Haynes' declaration of 13 July 2001 detailed the several attempts to obtain Dr. Lam's address from his parents before they moved.

The application and declaration form are also being sent to Dr. Lam's former Tokyo address despite the fact that Dr. Haynes' declaration would appear to establish that this address is no longer valid. This petition will be supplemented when it is determined whether the documents were or were not deliverable to Dr. Lam at the Tokyo address.

Applicants submit that diligent efforts to obtain Dr. Lam's signature on the Declaration have been and are being made, and renew the request that the Declaration without Dr. Lam's signature be accepted.

Respectfully submitted,

3 July '02  
Date

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